

REMARKS:

Applicant has carefully considered the Office Action mailed July 19, 2004. Reconsideration of the application in view of this amendment in response thereto is respectfully requested.

The Examiner is correct in presuming that the subject matter of the various claims herein was commonly owned at the time any inventions covered in the present application were made.

Claims 1-3, 9-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schuck '761 in view of the U.S. publication to Robinson et al '908. Claim 1 has been cancelled without prejudice or disclaimer.

The Schuck reference discloses a towed vehicle brake actuation system. The Schuck system, however, does not utilize a pair of DIP switches for selectively encoding and decoding signals between a towing vehicle and a towed vehicle as taught and claimed by the instant application. Similarly, the Robinson et al '908 publication discloses a towed vehicle brake controller. Again, the Robinson controller, however, does not utilize a pair of DIP switches for selectively encoding and decoding signals between a towing vehicle and a towed vehicle as taught and claimed by the instant application.

There is nothing in the Schuck or Robinson references, singly or in combination, that teaches, suggests, or provides any incentive to modify or combine those teachings such that it would have been obvious to one skilled in the art at the time of applicant's invention to provide a pair of DIP switches for selectively encoding and decoding signals between a towing vehicle and

a towed vehicle as taught and claimed by the instant application. Claims 2-3, 9-14 have been amended by making them dependent from new claim 16 to thereby more clearly distinguish them from the Schuck and Robinson references. In addition, independent claim 15 has been amended to be more clearly distinguishable from the Schuck and Robinson references. Claims 2-3 and 9-15 should now be in condition for allowance.

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schuck in view of U.S. publication '908 as applied to claims 2 and 3 above, and further in view of Stumpe. The Schuck and publication '908 references have been hereinbefore discussed. The Stumpe reference discloses a method and device for electronically controlling the brake system of a vehicle. The Stumpe method and device, however, do not utilize a pair of DIP switches for selectively encoding and decoding signals between a towing vehicle and a towed vehicle as taught and claimed by the instant application.

There is nothing in the Schuck, Robinson or Stumpe references, singly or in combination, that teaches, suggests, or provides any incentive to modify or combine those teachings such that it would have been obvious to one skilled in the art at the time of applicant's invention to provide a pair of DIP switches for selectively encoding and decoding signals between a towing vehicle and a towed vehicle as taught and claimed by the instant application. Claims 4 and 5 have been amended by making them dependent from new claim 16 to thereby more clearly distinguish them from the Schuck, Robinson and Stumpe references. Claims 4 and 5 should now be in condition for allowance.

It is noted that claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims. Claim 6 has been cancelled without prejudice and disclaimer, and rewritten independently as new claim 16. Claim 7 and 8 are now dependent from new claim 16.

Summarizing, claims 2-16 should now be in condition for allowance.

The Examiner is invited to contact the undersigned at the below-listed telephone number if it is felt that the prosecution of this application may be expedited thereby.

Respectfully submitted,

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